

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 8310-AG09-0601-124

IN THE MATTER OF:

William R. Hess, Jr.  
Respondent

3117 Stratton Way # 204  
Madison, WI 53719

License Number: 570216

**FILED**

AUG 28 2009

STATE OF INDIANA  
DEPT. OF INSURANCE

**ADMINISTRATIVE ORDER**  
**NOTICE OF NONRENEWAL OF LICENSE**

The Indiana Department of Insurance, pursuant to the Indiana Administrative Act, Indiana Code 4-21.5-1 et seq. and Indiana Code § 27-1-15.6-12, hereby gives notice to William R. Hess, Jr. ("Respondent") of the following Administrative Order:

1. Indiana Code § 27-1-15.6-12(b) provides that "The commissioner may levy a civil penalty, place an insurance producer on probation, suspend an insurance producer's license, revoke and insurance producer's license for a period of years, permanently revoke an insurance producer's license, or refuse to issue or renew an insurance producer license, or take any combination of these actions, ...".

2. Indiana Code § 27-1-15.6-12(d) provides that when the Commissioner refuses to renew a license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal.

3. Respondent William R. Hess, Jr. is a resident of Wisconsin holding a non-resident insurance producer license in Indiana, license number 563678.

4. Respondent has been qualified as a surplus lines producer in accordance with and as defined under Indiana Code § 27-1-15.8 *et seq.* and is therefore bound by all requirements and restrictions contained therein.

5. Indiana Code § 27-1-15.8-4(c) requires licensed surplus lines producers to file a semi-annual tax report with the Department no later than the first of each fiscal quarter of each year.

6. Respondent was first notified of his violation via a Statement of Charges and Notice of Hearing sent on February 6, 2009 in regards to a violation of Indiana Code § 27-1-15.8-4(c) for the previous semi-annual tax report deadline.

7. The Department has been unable to contact Respondent via mail or by phone. Correspondence dating back to February 6, 2009 has been returned to the Department as "unclaimed".

8. On February 19, 2009, the Department notified Respondent via First Class U.S. Mail that Respondent had failed to comply with the requirements of Indiana Code § 27-1-15.8-4(c) and as of that date charges have been filed ; Respondent is still not in compliance with Indiana Code § 27-1-15.8-4(c).

9. On June 3, 2009, the Department sent a Statement of Charges and Notice of Hearing to Respondent to inform him that he was again in violation of Indiana Code § 27-1-15.8-4(c). As of this date, the Department has had no response from Respondent.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed.**

WHEREFORE, the Commissioner further notifies Respondent that pursuant to Indiana Code § 27-1-15.6-12(d), within sixty (60) days of receiving this Notice, Respondent may make a written demand upon the Commissioner for a hearing to determine the reasonableness of this action. Such a hearing shall be held within thirty (30) days from the date of receipt of Respondent's written demand.

August 28<sup>th</sup>, 2009  
Date Signed

Carol Cutter  
Carol Cutter  
Commissioner  
Indiana Department of Insurance